

## IN THE CIRCUIT COURT OF DUNKLIN COUNTY, MISSOURI

## DIVISION II

DIANA OLIVAS, D/B/A,  
PUERTO JAIVO RESTAURANT,

Plaintiff,

v.

JORGE MARIN, D/B/A,  
MARIN J

Defendant.

Case No.: \_\_\_\_\_

PETITION

COMES NOW Plaintiff, Diana Olivas, by her attorney, Terry M. McVey, and for her cause of action states:

1. That at all times relevant herein, Plaintiff operated a restaurant named Puerto Jaivo in Kennett, Dunklin County, Missouri.

2. That at all times relevant herein Defendant Jorge Marin operated a business under which he would supply seasonal farm workers and labors to various farming operations in the Kennett, Missouri area.

3. That from June 28, 2018 through and including July 19, 2018, Plaintiff sold and delivered to Defendant meals for workers of Defendant under an agreed upon price of \$5.96 for lunch and dinner meals and \$4.00 for breakfast meals.

4. That from June 28, 2018 to and including July 19, 2018 Plaintiff sold meals to Defendant and Defendants workers, the amounts of which appear in the statement attached hereto, marked Exhibit 1, and made a part hereof by reference.

5. That said account was to be paid by Defendant on demand.

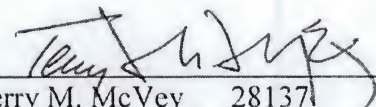
6. That the prices charged for the meals and services are and were at the time at same were sold reasonable and proper and Defendant agreed and promised to pay the same.

7. Plaintiff has also requested Defendant to pay the sum in full but Defendant has failed and refused and continues to fail and refuse to pay the account in full. Plaintiff first demanded full payment of said account on August 1, 2018.

8. The present principal balance of said account is \$15,874.21 as shown by Exhibit 1 to this Petition.

**WHEREFORE**, Plaintiff prays Judgment against Defendant for the principal sum of \$15,874.21 plus interest at the statutory rate of nine percent per annum (9%) from August 1, 2018; for its costs incurred herein; and for such other and further Orders that this court deems just and proper.

Respectfully submitted,

By   
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# Puerto Jaivo Rest.

1700 bootheel plaza

Kennett Mo 63857

Meals delivered to Marin's Brothers

• Jun 28.	79meals.	\$5.96 =	\$470.84
• Jun 29.	149meals.	\$5.96=	\$888.04
• Jun 30.	182meals.	\$5.96=	\$1,084..72
• July 1.	186meals.	\$5.96=	\$1,108.56

596meals \$5.96= \$3,552.16

MO. Sales tax. 8.975% \$318.81

Total \$3,870.97

• July 2.	187meals.	\$5.96=	\$1,114.52
• July3.	181meals.	\$5.96=	\$1,078.76
• July4.	180meals.	\$5.96=	\$1,072.80
• July5.	184meals.	\$5.96=	\$1,096.64
• july6.	184meals.	\$5.96=	\$1,096.64
• July7.	167meals.	\$5.96=	\$ 995.64
• July8.	197meals.	\$5.96=	\$1,174.12

1,280meals. \$5.96= \$7,628.80

MO sales Tax. 8.975% \$684.68

Total \$8,313.48



• July9.	207meals.	\$5.96=	\$1,233.72
• July10.	186meals.	\$5.96=	\$1,108.56
• July11.	191meals.	\$5.96=	\$1,138.36
• July12.	186meals.	\$5.96=	\$1,108.56
• July13.	171meals.	\$5.96=	\$1,019.16
• July14.	173meals.	\$5.96=	\$1,031.08
• July15.	177meals.	\$5.96=	\$1,054.92

1,291meals. \$5.96= \$7,694.36

MO sales Tax 8.975% \$690.57

• Total. **\$ 8,384.93**

July 17.      90 breakfast \$360  
                 180 meals.    \$1,072

July 18.      90 breakfast \$360  
                 180 meals.    \$1,072

July 19.      90 breakfast.    \$360  
                 180 meals      \$1,072

540 meals  $\times$  \$5.96= \$ 3,218.40

180 breakfast  $\times$  \$ 4.00 = \$ 1,080

\$4,298.40

MO tax. 8.975% = \$378.04

Total. \$4,676.44

All together give a total of \$25,245.82

Cash paid for workers - \$ 9,369.00

Balance of \$ 15,874.21